

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate of Bernard  
L. Madoff,

Plaintiff,

v.

SYLVIA JOEL, et al.,

Defendants.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04291 (SMB)

**STIPULATION AND ORDER FOR  
VOLUNTARY DISMISSAL OF ADVERSARY PROCEEDING**

By and through their respective counsel, Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated SIPA liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff individually, Sylvia Joel, Amy Joel, Patricia Samuels, Howard Samuels, Andrew Samuels, Dara Sandler, Martin J. Joel Partnership, Article Third Trust *u/w/o* Martin J. Joel Jr., Article Fourth Trust *u/w/o* Martin J. Joel Jr., and Harvey Krauss (collectively

the “Defendants,” and together with the Trustee, the “Parties”), hereby stipulate and agree to the following:

1. On November 26, 2010, the Trustee filed the Complaint against the Defendants and certain other parties.

2. In or about February 2016, the Parties entered into a settlement agreement (the “Settlement Agreement”) pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [ECF No. 3181].

3. In or about November 2016, the Parties entered into a first amendment to the Settlement Agreement.

4. In or about July 2017, the Parties entered into a second amendment to the Settlement Agreement.

5. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal without prejudice of the Trustee’s claims against the Defendants in the above-captioned adversary proceeding and to a dismissal of the adversary proceeding without prejudice.

6. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

7. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic, or electronic copy of this Stipulation shall be deemed an original.

New York, New York  
September 8, 2017

By: /s/ Nicholas Cremona  
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the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate  
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u/w/o Martin J. Joel Jr., Article Fourth  
Trust u/w/o Martin J. Joel Jr., and Harvey  
Krauss*

**SO ORDERED**

**Dated: September 8<sup>th</sup>, 2017**  
**New York, New York**

/s/ STUART M. BERNSTEIN  
**HON. STUART M. BERNSTEIN**  
**UNITED STATES BANKRUPTCY JUDGE**